

Minutes of the Maine Real Estate Commission

AUGUST 19, 2004

MEMBERS PRESENT

Earl Black
Sharon Millett
Jeffrey Mitchell
Winfred Stevens

STAFF PRESENT

Carol Leighton, Director
Karen L. Bivins, Deputy Director
Judy Brown, Examiner
Dennis Smith, A.A.G.
Susan Greenlaw, Secretary

MEMBERS ABSENT

David Kitchen

Location: Central Conference Room

Start: 10:02 a.m.

Adjourn: 12:35 p.m.

Minutes – July 15, 2004

Amend the minutes to reflect that Winfred Stevens recused himself and was not present for the hearing regarding Director v. Herbert R. Dickey III. A motion was made by Jeffrey Mitchell and seconded by Sharon Millett to approve the minutes of the July 15, 2004 meeting as amended. Unanimous.

Agenda Modifications

A motion was made by Jeffrey Mitchell and seconded by Winfred Stevens to add the following to the agenda. Unanimous.

- Proposed Consent Agreements
#2004-078
- Letter from Maine Association of Realtors
- Letter from Herbert Dickey III

Hearings

Mr. Davis requested a continuance. A motion was made by Winfred Stevens and seconded by Jeffrey Mitchell to grant his request. Unanimous.

Commission Decisions

A motion was made by Winfred Stevens and seconded by Jeffrey Mitchell to accept the Commission Decision in the matter of Landon C. Cohen v. Director (hearing held 7/15/2004). Unanimous.

A motion was made by Sharon Millett and seconded by Jeffrey Mitchell to accept the Commission Decision in the matter of Director v. Herbert R. Dickey III (hearing held 7/15/2004). Winfred Stevens recused and left the room. Black, Millett, and Mitchell voted in the affirmative; none opposed. Motion carried.

A motion was made by Sharon Millett and seconded by Winfred Stevens to accept the Commission Decision in the matter of Director v. William P. Mouflouze (hearing held 7/15/2004). Unanimous.

Consent Agreements

A motion was made by Sharon Millett and seconded by Jeffrey Mitchell to accept the proposed Consent Agreements in case numbers 2004-061, 2004-071, 2004-076, 2004-081, 2004-082, and 2004-078. Unanimous.

A motion was made by Sharon Millett and seconded by Jeffrey Mitchell to accept the proposed Consent Agreement in case number 2004-073. Earl Black recused and left the room. Millett, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

Dismissed Complaints

A motion was made by Sharon Millett and seconded by Jeffrey Mitchell to accept the proposed Dismissals in case numbers 2002-123, 2002-152, 2004-045, and 2004-056. Unanimous.

A motion was made by Sharon Millett seconded by Jeff Mitchell to accept the proposed Dismissal in case number 2002-148. Earl Black recused and left the room. Millett, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

Discussion

Policy Discussion – disclosure of type of criminal conviction in Commission decisions and consent agreements: No changes to procedures were recommended.

Mortgage Fraud – Alabama Real Estate Commission Newsletter article: Discussed issues. A task force was recommended.

Director's Report

Draft – Legislative Proposals: Reviewed proposal submitted by the Committee. Further information will be available for the September meeting.

Transaction Broker – discussed draft language. Committee will need to meet again.

Draft - Advertising Bullets: Discussed draft language and recommended changes. The document will be posted on the web site and will be included in the next newsletter.

FY 04 Year End Investigative Review: This was for information purposes only.

Reciprocal Agreement – Mississippi: A motion was made by Winfred Stevens and seconded by Jeffrey Mitchell to approve the reciprocal agreement and authorize the Commission Chair to sign the document. Unanimous.

2005 Meeting Schedule: The meeting schedule was distributed.

OLR is proposing fee reductions for Real Estate Commission. Active license reduced to \$80 – inactive to \$50.

Letter from Maine Association of Realtors

Tabled to September. Need rationale from MAR.

Letter from Herbert Dickey III

Mr. Dickey submitted a request for a new hearing. Winfred Stevens recused himself and left the room. A motion was made by Jeffrey Mitchell and seconded by Sharon Millett to deny his request for a new hearing. Black, Millett, and Mitchell voted in the affirmative; none opposed. Motion carried.

Next Meeting Scheduled for September 16, 2004

The meeting was adjourned at 12:35 p.m.

This report respectfully submitted,

Earl Black
Chairman

Carol J. Leighton
Director